

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

LETTERS PATENT APPEAL NO.134 OF 2006
IN
WRIT PETITION NO.5392 OF 2005

Vickers Systems International Ltd.

Appellant

vs.

Anand A. Ghule

Respondent

Mr.A.D.Patwardhan for the appellant.

Mr.Siddharth Karpe with Mr.D.A.Taur i/b.M/s.Y.K.S.Legal
for the respondent.

**CORAM : R. M. LODHA &
A.S.BAGGA, JJ.**

DATED : 27th June, 2006

P.C.

Heard.

2. The learned Single Judge was not persuaded by the case of the appellant that there was no relationship of the employer and employee and that the complainant never worked with the appellant-company. The learned Single Judge observed that by the evidence led by the complainant, the relationship of employer and employee was clearly established. It was observed by the learned Single Judge that the cross-examination of the complainant was suggestive of the employer and employee relationship between the parties.

3. The counsel for the appellant argued before us as was argued before the learned Single Judge that the documents upon which the complainant sought to place reliance were bogus and fraudulent. In support of his contention, the counsel referred to paragraph 10 of the reply filed by the employer.

4. Though the employer set up the case that the documents on which the complainant is placing reliance were fabricated, we find that the cross-examination of the complainant does not lead to this inference. As a matter of fact, the employer examined two witnesses and these witnesses have not deposed that the documents relied upon by the complainant were forged.

5. We are, thus, satisfied that the impugned order does not call for any interference.

6. The appeal is dismissed in limine.

(R.M. LODHA,J.)

(A.S. BAGGA,J.)